

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: )  
 ) Chapter 11  
 ) Case No. 08-35653-KRH  
CIRCUIT CITY STORES, INC., ) Jointly Administered  
 )  
Debtors. )

STATEMENT OF CURE UNDER THE  
NON-RESIDENTIAL PROPERTY LEASE OF  
MORSE-SEMBLER VILLAGES PARTNERSHIP #4

Morse-Sembler Villages Partnership #4, ("Morse-Sembler") by its undersigned counsel, hereby submits the Statement of Cure Under the Non-Residential Property Lease.

1. On November 10, 2008 Debtors filed a voluntary petition under Chapter 11 of the Bankruptcy Code.

2. Jurisdiction is vested in this Court pursuant to 28 U.S.C. §§157 and 1334.

This is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is prescribed by 28 U.S.C. §§ 1408 and 1409.

Augustus C. Epps, Jr. (VSB 13254)  
Michael D. Mueller (VSB 38216)  
Jennifer McLain McLemore (VSB 47164)  
Christian and Barton, L.L.P.  
909 East Main Street  
Suite 1200  
Richmond, Virginia 23219-3095  
Phone: 804.697.4100  
Fax: 804.697.4112

Heather D. Dawson (VSB 45303)  
Kitchens Kelley Gaynes, P.C.  
Eleven Piedmont Center, Suite 900  
3495 Piedmont Road, N.E.  
Atlanta, Georgia 30305  
Phone: 404.237.4100  
Fax: 404.364.0126

3. Circuit City Stores, Inc. ("Debtor") and Morse-Sembler entered into a Lease Agreement dated April 13, 2005 with regard to Store No. 3677 located in the Rolling Acres Plaza Shopping Center, Lady Lake, Florida (the "Lease").

4. Morse-Sembler hereby files their Statement of Cure pursuant to the Notice Of Approval of Order (I) Approving Procedures in Connection with Sale of All or Substantially All of the Business (Docket No. 1454) which requires all cure amounts to be provided with respect to a possible assumption or assignment of the Lease.

5. The cure amount for Morse-Sembler as of January 15, 2009 is \$33,502.62 for November rent and CAM and \$38,502.15 for 2008 Real Estate Taxes, for a total cure amount of \$72,004.77, plus any additional amounts or pecuniary losses including reasonable attorneys' fees.

Respectfully submitted this 15<sup>th</sup> day of January, 2009.

CHRISTIAN & BARTON, LLP

By: /s/ Jennifer M. McLemore

Jennifer M. McLemore  
Virginia State Bar No. 47164  
909 East Main Street  
Suite 1200  
Richmond, Virginia 23219-3095  
Phone: 804.697.4100  
Fax: 804.697.4112

-and-

KITCHENS KELLEY GAYNES, P.C.

Heather D. Dawson, Esq.  
Virginia State Bar No. 45303  
Eleven Piedmont Center  
Suite 900  
Atlanta, Georgia 30305  
Phone: 404.27.4100  
Fax: 404.364.0126  
*Counsel for Morse-Sembler  
Villages Partnership #4*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of January, 2009, I caused a copy of the foregoing to be served by electronic means to the “2002” and “Core” lists and through the ECF system.

/s/ Jennifer M. McLemore